

1 William P. Keane, Esq. (State Bar No. 124756)
wkeane@fbm.com
2 Paul A. Alsdorf, Esq. (State Bar No. 241168)
palsdorf@fbm.com
3 Christoffer Lee, Esq. (State Bar No. 280360)
clee@fbm.com
4 FARELLA BRAUN + MARTEL LLP
235 Montgomery Street, 17th Floor
5 San Francisco, CA 94104
Telephone: (415) 954-4400
6 Facsimile: (415) 954-4480

7 Attorneys for Defendant
SHAWN HOGAN
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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
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13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 vs.

16 SHAWN HOGAN,

17 Defendant.
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No. CR 10-0495 EJD-1

**STIPULATION AND [PROPOSED] ORDER
TO WITHDRAW DEFENDANT'S MOTION
TO SUPPRESS EVIDENCE**

Date: September 24, 2012
Time: 3:00 p.m.
Court: Hon. Edward J. Davila
Courtroom 4, 5th Floor
San Jose Courthouse
280 South 1st Street
San Jose, CA 95113

Jury Trial Set for January 13, 2013

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22 WHEREAS, Defendant Shawn Hogan filed a Motion to Suppress Evidence (the
23 "Motion") on September 7, 2012 (Dkt. No. 60);

24 The United States, by and through its counsel, AUSA Matthew Lamberti, and Defendant
25 Shawn Hogan, by and through his counsel, William P. Keane, hereby STIPULATE that

26 1) the Motion shall be withdrawn from the docket; and

27 2) the September 24, 2012 hearing date on the Motion shall be vacated; and

28 3) the stipulated withdrawal of the Motion is without prejudice to Defendant's ability to

1 file the Motion at any time in the future.

2 IT IS SO STIPULATED.

3 DATED: September 14, 2012

MELINDA HAAG
United States Attorney

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5 /s/ Matthew Lamberti
6 MATTHEW LAMBERTI
Assistant United States Attorney

7 IT IS SO STIPULATED.

8 DATED: September 14, 2012

/s/ William P. Keane
9 WILLIAM P. KEANE
Attorneys for Defendant Shawn Hogan

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11 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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15 DATED: September __, 2012

HONORABLE EDWARD J. DAVILA
16 UNITED STATES DISTRICT JUDGE
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